



HJR 96 FOIA Study
Legislative Recommendations Tracking Document
Effective December 6, 2016
(After December 5, 2016 FOIA Council meeting)

I. FINAL LEGISLATIVE RECOMMENDATIONS OF THE FOIA COUNCIL

LD Number	Relating to	Notes
17100698	Omnibus Records draft	Approved 12/5/16, as amended, 9-0
17101247	Omnibus Meetings draft	Approved 12/5/16, as amended, 9-0

II. Legislative Recommendations Approved by FOIA Council by subcommittee and date with vote:

MEETING SUBCOMMITTEE (8):

LD Number	Relating to	Date Approved by Meetings Subc.	Date Approved by FOIA Council	FOIA Council Vote	Notes
1. 16101652	2.2-3712 closed mtg procedures	November 4, 2015	June 23, 2016	8-0	technical fixes
2. 15100276	2.2-3711; legal matters and litigation	August 19, 2014	June 23, 2016 and again on November 21, 2016 b/c action not reflected in June 23, 2016 meeting	8-0	Make 2 separate exclusions; declaratory of existing law

LD Number	Relating to	Date Approved by Meetings Subc.	Date Approved by FOIA Council	FOIA Council Vote	Notes
			minutes		
3. 1610002	2.2-3711; certain museums, local crime commissions, and local postemployment nonpension boards	November 5, 2014 and May 12, 2015	June 23, 2016	8-0	
4. 16100201	2.2-3711; VCUHSA clean up	July 21, 2015	June 23, 2016	8-0	
5. 17100049	2.2-3711; Context draft	September 19, 2016	September 19, 2016	8-0	Previously LD16100064
6. 17100176	2.2-3708 and 2.2-3708.1; Emtgs clarifications, and definition of regional public body	September 19, 2016	September 19, 2016		
7. 17100786	2.2-3707.1; posting minutes	September 19, 2016	October 17, 2016		
8. 17100047	2.2-3707; notice and agenda posting	June 6, 2016	October 17, 2016		Previously LD16106517

RECORDS SUBCOMMITTEE (17):

LD Number	Relating to	Date Approved by Records Subc.	Date Approved by FOIA Council	FOIA Council Vote	Notes
1. 15100327	2.2-3705.1; email subscriptions	November 5, 2014	June 23, 2016	9-0	
2. 15101102	2.2-3705.1;		June 23, 2016	9-0	Excluded

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	"scholastic record" out of this list	N/A--see notes			under 2.2-3705.4 already; also removed in HB 817 (2016)
3. 15101103	2.2-3705.7; customer acct info	August 25, 2014	June 23, 2016	9-0	
4. 15101104	2.2-3705.7; Wildlife Magazine	November 5, 2014	June 23, 2016	9-0	
5. 16101008	2.2-3705.7; local boards, post employment, nonpension comp.	July 21, 2015	June 23, 2016	9-0	
6. 16100995	2.2-3705.2 and 2.2-3705.3; public safety, admin investigations; and telecommunication service provider terminology fix	October 7, 2015	June 23, 2016	9-0	
7. 17100033	2.2-3705.4; VA College Savings Plan	September 14, 2015	June 23, 2016	9-0	
8. 17100048	2.2-3705.3; DHRM admin investigation	November 18, 2015	June 23, 2016	9-0	Previously LD16106514 Deleted as unnecessary b/c covered under personnel exclusion

LD Number	Relating to	Date Approved by Records Subc.	Date Approved by FOIA Council	FOIA Council Vote	Notes
9. 17100067	2.2-3705.5; DHP and DSS consolidations	September 14, 2016	September 19, 2016	8-0	
10. 17100698	2.2-3701; definition of public record	September 8, 2016	October 17, 2016	8-0	
11. 17100603	2.2-3705.7; working papers	August 18, 2015	October 17, 2016	7-1	LeMunyon's version; includes Subc recommendn
12. 17100035	2.2-3705.2; Public Safety consolidation of 2, 4, 6, and 14	August 18, 2016--Subc. action--to refer to full FOIA Council w/o recommendation	October 17, 2016	7-0-1	First paragraph of Subdivision 2 of 2.2-3705.2 moved to 2.2-3705.6 (proprietary records)
13. 17100765	FOIA requests and responses (2.2-3704)	September 29, 2016	November 21, 2016	6-1	
14. 17100766	Global language change; revert to pre 2016 law (i.e. "Nothing...to prevent/prohibit disclosure...")	November 18, 2015, but reconsidered and current version recommended September 29, 2016	November 21, 2016	5-1-1	
15. 15100326	Personnel records; consolidation of 2.2-3705.1 and 2.2-3705.8	August 25, 2014	November 21, 2016	7-0	
16. 15101105	certain corresp	November	November 21,	7-0	

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	of local officials not a public record (2.2-3705.7)	5, 2014	2016		
17. 17101306	ABC Authority record exclusion for proprietary records, marketing strategies, etc. (subd 34 of 2.2-3705.7)	November 18, 2015	November 21, 2016	7-0	